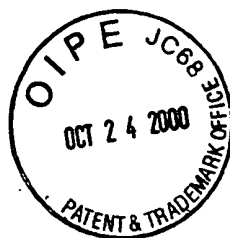


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RESPONSE UNDER
37 C.F.R. § 1.116
EXPEDITED PROCEDURE
EXAMINING GROUP 1638

PATENT
2185-0208P

IN THE U.S. PATENT AND TRADEMARK OFFICE

Applicant: Tomokazu KOSHIBA
Appl. No.: 08/943,144 Group: 1638
Filed: October 3, 1997 Examiner: ZAGHMOUT
For: ALDEHYDE OXIDASE GENE DERIVED FROM PLANT
AND UTILIZATION THEREOF

NOTICE OF APPEAL FROM THE
PRIMARY EXAMINER TO THE BOARD OF APPEALS

Assistant Commissioner for Patents
Washington, DC 20231

October 24, 2000

Sir:

Applicants hereby appeal to the Board of Appeals from the decision dated April 25, 2000 of the Primary Examiner finally rejecting claims 18, 19, and 22-30.

- ☐ The enclosed document is being transmitted via the Certificate of Mailing provisions of 37 C.F.R. § 1.8.

The applicant(s) hereby petition(s) for an extension of three (3) month(s) pursuant to 37 C.F.R. §§ 1.17 and 1.136(a).

- ☐ A Statement Claiming Small Entity Status
- ☐ is submitted herewith (☐ original ☐ photocopy).
- ☐ was previously submitted on _____.

The fee has been calculated as shown below:

- ☒ NO extensions of time have been previously obtained for responding to the Final Rejection. Thus a fee of \$890.00 is required for the full period of the above-requested extension of time.

10/25/2000 CNGUYEN 00000049 08943144

01 FC:119
02 FC:117

310.00 OP
890.00 OP

- ☐ An extension of () months for responding to the Final Rejection was previously requested and paid for on _____. Thus a fee of \$0.00 is required to obtain an additional () month(s) for filing the Notice of Appeal.

The Government fee for filing a Notice of Appeal to the Board of Appeals is calculated as follows:

- ☒ Large entity - \$310.00
☐ Small Entity - \$155.00

Therefore, the TOTAL FEE due for the filing of this Notice of Appeal is \$1,200.00.

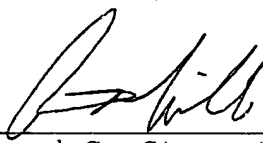
Payment of the above TOTAL FEE is being made in the following manner:

- ☒ A check in the amount of \$1,200.00 is enclosed.
☐ Please charge Deposit Account No. 02-2448 in the amount of \$0.00. A triplicate copy of this sheet is attached.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

BIRCH, STEWART, KOLASCH & BIRCH, LLP

By  #32,868
for Raymond C. Stewart, #21,066

Cam
RCS/CAM/gh
2185-0208P

P.O. Box 747
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(REV. 09/29/2000)